

AMENDED IN SENATE APRIL 25, 2011

SENATE BILL

No. 678

Introduced by Senator Negrete McLeod

February 18, 2011

An act to add Section 1203.83 to the Penal Code, relating to probation.

LEGISLATIVE COUNSEL'S DIGEST

SB 678, as amended, Negrete McLeod. Probation: community corrections multidisciplinary teams.

Existing law authorizes the members of multidisciplinary teams engaged in the prevention, identification, and control of juvenile crime to share certain information with each other, as specified.

This bill would, in addition, authorize ~~the members of counties, for purposes of providing evidence-based practices and supervision to convene~~ community corrections multidisciplinary teams engaged in providing community corrections supervision, treatment, and services; ~~to exchange nonprivileged information and writings with one another relating to incidents of adult crime,~~ as specified.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1203.83 is added to the Penal Code, to
- 2 read:
- 3 1203.83. (a) ~~Notwithstanding any other provision of law,~~
- 4 ~~members of a community corrections multidisciplinary team may~~
- 5 ~~disclose and exchange nonprivileged information and writings to~~

~~1 and with one another relating to any incidents of adult crime that~~
~~2 may be part of an adult court record or designated as confidential~~
~~3 under state law if the member of the team having that information~~
~~4 or writing reasonably believes it is generally relevant to providing~~
~~5 community corrections supervision and services. Counties are~~
~~6 authorized to convene community corrections multidisciplinary~~
~~7 teams for purposes of providing evidence-based practices and~~
~~8 supervision.~~ Every member of a community corrections
9 multidisciplinary team who receives ~~that~~ nonprivileged information
10 or writings shall be under the same privacy and confidentiality
11 obligations and subject to the same penalties for violating those
12 obligations as the person disclosing or providing the information
13 or writings. The information obtained shall be maintained in a
14 manner that ensures the protection of confidentiality.

(b) As used in this section, “nonprivileged information” means
16 any information not subject to a privilege pursuant to Division 8
17 (commencing with Section 900) of the Evidence Code.

(c) As used in this section, “community corrections” means the
19 placement of persons convicted of a felony offense under probation
20 supervision, with conditions imposed by a court for a specified
21 period.

(d) As used in this section, “multidisciplinary team” means any
23 team of three or more persons, the members of which are engaged
24 in providing community corrections supervision, treatment, and
25 services. The team may include, but is not limited to:

- 26 (1) Probation officers.
- 27 (2) Police officers, sheriffs’ deputies, and other law enforcement
28 officers.
- 29 (3) Social workers.
- 30 (4) Health and mental health providers.
- 31 (5) Substance abuse treatment providers.
- 32 (6) Education professionals.
- 33 (7) Employment coordinators.
- 34 (8) Representatives from community-based organizations with
35 experience in successfully providing rehabilitative services.

(e) As used in this section, “evidence-based practices” means
37 supervision policies, procedures, programs, and practices
38 demonstrated by scientific research to reduce recidivism among
39 individuals under probation, parole, or postrelease supervision.

1 (f) *This section shall not be construed to independently authorize*
2 *access to, or possession of, information from local, state, or federal*
3 *information systems or databases that multidisciplinary team*
4 *members are authorized to access or possess in the course of their*
5 *duties.*

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